In the High Court of Judicature for Rajasthan
Jaipur Bench

**

Cr. Msc. Petition No.2189/2007

Dinesh & (3) Ors. ***Versus***

State & Manju

Date of Order ::: 13/12//07

Hon'ble Mr. Justice Ajay Rastogi

Mr. Sunil K.Singodia, for petitioners
Mr. Arun Sharma, Public Prosecutor

Instant petition U/s 482, CrPC has been filed against interim maintenance of Rs.2,000/- per month vide order dt.02/08/07 in Case No.74/2007 on application U/s 12 of the Protection of Women from D0mestic Violence Act, 2005 – against Cr.Rev.-205/07 was preferred before Court of Revision but was rejected holding it being not maintainable.

Counsel submits that since there is provision U/s 29 of the Act, 2005, petitioner may be permitted to challenge order of interim maintenance impugned in proper proceedings.

Consequently, misc. petition is dismissed alongwith stay petition. However, petitioner may avail of remedy under law if so advised; and if application U/s 5 of the Limitation Act is filed, it is expected of the competent Court to consider the same objectively taking note of pendency of matter before court of Revision and this Court.

(**Ajay Rastogi), J.**